

REMARKS

The Office Action dated January 3, 2005 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Claims 1-18 have been examined and are respectfully resubmitted for reconsideration.

Claims 1, 2, 10 and 11 were rejected under 35 USC § 102(b) as being anticipated by *Comroe et al.* (U.S. Patent No. 4,926,495). The Office Action took the position that *Comroe et al.* disclosed all of the elements of those claims. Claims 3, 6-8, 12 and 15-17 were rejected under 35 USC § 103(a) as being unpatentable over *Comroe et al.* in view of *Castillo et al.* (U.S. Patent No. 5,379,337). Claims 4, 5, 13 and 14 were rejected under 35 USC § 103(a) as being unpatentable over *Comroe et al.* in view of *Castillo et al.* and *Franza* (U.S. Patent No. 6,035,187). Claims 9 and 18 were rejected under 35 USC § 103(a) as being unpatentable over *Comroe et al.* in view of *Castillo et al.* and *Fumarolo et al.* (U.S. Patent No. 6,204,844).

Claim 1, from which claims 2-9 depend, recites a computer aided dispatch system including a master dispatch database having one or more data tables, each data table having one or more entries, each containing information pertaining to the dispatch of services by one or more mobile units. The system also includes a central dispatch computer system capable of accessing the master dispatch database and one or more mobile terminals, having a processor and a local dispatch database. Whenever a change is made to the master dispatch database by the central dispatch computer system, the change is automatically sent by the central dispatch computer system to the one or more

mobile terminals, which in turn each make a substantially similar change to its local dispatch database.

Claim 10, from which claims 11-18 depend, recites a method of dispatching information pertaining to requests for service from a central dispatch computer system to one or more mobile terminals including accessing and changing, by the central dispatch computer, a master dispatch database including one or more data tables, each data table having one or more entries, each containing information pertaining to the dispatch of services by one or more mobile units. The method includes automatically sending to the one or more mobile terminals change information pertaining to the change in the master dispatch database and changing a local dispatch database associated with each of the one or more mobile terminals based upon received change information.

As discussed in the present specification, the present invention provides real time status information regarding calls and mobile unit availability to the mobile units. It is respectfully submitted that the prior art of *Comroe et al.*, *Castillo et al.*, *Franza* and *Fumarolo et al.*, when viewed or when combined, fails to disclose or suggest the elements of any of the presently pending claims. Therefore, the prior art fails to provide the critical and unobvious advantages discussed above.

Comroe et al. is directed to a computer aided dispatch system that is used in trunked communication system. A master file node 402, illustrated in Fig. 4, maintains a centralized data base for a dispatch system 400. The master file node maintains a data record for each subscriber unit operating on the trunked system and a back-up file node

404 maintains a duplicate data base in case of failure. The system also has a plurality of dispatcher nodes 406 and a central controller 416 that controls a plurality of trunked repeaters. Communications are made to subscribers in subgroups 420-424.

Claim 1 recites, in part, “one or more mobile terminals, comprising a processor and a local dispatch database” and claim 10 recites, in part, “changing a local dispatch database associated with each of the one or more mobile terminals based upon received change information.” The rejection of claims 1 and 10 alleges that *Comroe et al.* discloses such elements, but there is no support in *Comroe et al.* for such a position.

The “mobile terminals” discussed in *Comroe et al.* receive data through the series of repeaters, but none of the “subscribers” is disclosed as having either a processor or a local dispatch database. The reciprocal changes made to the data bases occurs purely on the “central controller side” and no changes are made on a local dispatch database of a mobile unit, because the mobile units are not disclosed as having local dispatch databases. Given this lack of disclosure, *Comroe et al.* cannot teach all of the elements of claims 1 and 10. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully assert that the rejection of claims 1 and 10 as being anticipated by *Comroe et al.* is improper and should be withdrawn.

Additionally, Applicants also respectfully assert that claims 1 and 10 are also not rendered obvious in view of the teachings of *Comroe et al.* While it could be argued that

the mobile units in *Comroe et al.* might have processors, there would be no motivation to alter the system of *Comroe et al.* to have the mobile units have local dispatch databases. Given the redundancies of the master file node discussed in *Comroe et al.*, there would be no need to specifically have the mobile units utilizing local dispatch databases. Therefore, Applicants respectfully assert that claims 1 and 10 are also not rendered obvious in view of *Comroe et al.*

Additionally, claims 2 and 11 depend from claims 1 and 10, respectively, and are also not taught or suggested by *Comroe et al.*, by virtue of at least their dependence on the independent claims.

Castillo et al. is directed to a method and system for providing emergency call service. *Franza* is directed to an apparatus and method for improved emergency call box. *Fumarolo et al.* is directed to a method and apparatus for dynamically grouping communications units in a communications system. Even if Applicants were to accept that the secondary references teach what has been alleged in the rejection, these secondary references do not cure the deficiencies of *Comroe et al.* discussed above. As such, Applicants respectfully assert that the rejections of 3-9 and 12-18 are likewise improper by virtue of their dependence on independent claims 1 and 10.

In view of the above, Applicants respectfully submit that claims 1-18 each recite subject matter which is neither disclosed nor suggested in a combination of *Comroe et al.*, *Castillo et al.*, *Franza* and *Fumarolo et al.* and Applicants respectfully request reconsideration and withdrawal of the above rejections.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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